

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 283

AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 36-8-16-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 14. (a) The emergency telephone system fees shall be used only to pay for:

- (1) the lease, purchase, or maintenance of enhanced emergency telephone equipment, including necessary computer hardware, software, and data base provisioning;
- (2) the rates associated with the service suppliers' enhanced emergency telephone system network services;
- (3) the personnel expenses of the emergency telephone system;
~~and~~
- (4) the lease, purchase, construction, or maintenance of voice and data communications equipment, communications infrastructure, or other information technology necessary to provide emergency response services under authority of the unit imposing the fee;
~~and~~
- (5) an emergency telephone notification system under IC 36-8-21.**

The legislative body of the unit may appropriate money in the fund only for such an expenditure.

(b) This subsection applies to a county that:

- (1) imposes a fee under section 5 of this chapter; and
- (2) contains a municipality that operates a PSAP (as defined in

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IC 36-8-16.5-13).

Not later than January 31 of each year, the county fiscal body shall submit to each municipality described in subdivision (2) a report of all expenditures described in subsection (a) paid during the immediately preceding calendar year.

SECTION 2. IC 36-8-16-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 18. A service supplier or a telephone company and its employees, directors, officers, and agents are not liable for any damages in a civil action for injuries, death, or loss to persons or property incurred by any person as a result of any act or omission of a service supplier or a telephone company, or of any of its employees, directors, officers, or agents, except for willful or wanton misconduct in connection with developing, adopting, implementing, maintaining, **providing data to**, or operating an enhanced emergency telephone system, **including an emergency telephone notification system (as defined in IC 36-8-21-1).**

SECTION 3. IC 36-8-21 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]:

Chapter 21. Emergency Telephone Notification System

Sec. 1. As used in this chapter, "emergency telephone notification system" means an enhanced emergency telephone system that provides service users in a unit with a telephone warning of an emergency situation through a computerized warning system that uses 911 data base information and technology.

Sec. 2. As used in this chapter, "service supplier" has the meaning set forth in IC 36-8-16-4(a).

Sec. 3. As used in this chapter, "service user" has the meaning set forth in IC 36-8-16-4(b).

Sec. 4. (a) A unit may establish an emergency telephone notification system.

(b) The legislative body of the unit may appropriate money from the unit's emergency telephone system fund under IC 36-8-16-13 to carry out the purposes of this chapter.

Sec. 5. A service supplier shall provide upon request the necessary customer data to implement an emergency telephone notification system. The provision of data under this section is subject to IC 36-8-16-16.

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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